

REMARKS

This responds to the Office Action mailed on January 6, 2006, and the references cited therewith.

Claim 12 is amended. Claims 1-16 are pending in this application.

§102 Rejection of the Claims

Claims 1-3, 6-10 and 12-16 were rejected under 35 U.S.C. § 102(e) for anticipation by Schoomen (U.S. 6,230,927).

Claims 1-3 and 6

Applicant traverses the rejection of claims 1-3 and 6 since the cited reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference: “giving the patient a unique authorization code that is not capable of being reused.” In contrast, the reference discusses a prescription signal that includes “information about at least one prescribed drug for a patient.” (Col. 5, lines 39-41). The prescription signal can also include the identity of the patient. (Col. 8, lines 10-23). It is apparent that if the same patient was to receive a similar prescription on a different day, the “prescription signal” of the reference would be exactly the same as before. This is in contrast to the claimed authorization code that is “unique” and “that is not capable of being reused.”

Claims 2-3 and 6 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 7-10

Applicant traverses the rejection of claims 7-10 since the cited reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference: “providing to the patient an authorization code unique to the authorized prescription, the authorization code not capable of being reused for other prescriptions.” As discussed, the reference discusses a prescription signal that can include information about at least one prescribed drug for a patient, and the identity of the patient. Thus, it is apparent that if the same patient was to receive a similar prescription on a different day, the prescription signal of the

reference would be exactly the same as before. This is in contrast to the claimed authorization code that is “unique” and “not capable of being reused for other prescriptions.”

Claims 8-10 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

Claims 12-16

Applicant has amended claim 12 to better describe the subject matter recited in the claim. Applicant believes claim 12 is not anticipated by the cited reference since the reference does not include each limitation recited in the claim. For instance, Applicant cannot find in the cited reference: the dispenser labeling the therapeutic product with information unique to the adjudicated prescription, and the dispenser scanning the labeled therapeutic product to verify the labeled therapeutic product before delivering the therapeutic product to the patient, as recited in claim 12.

Claims 13-16 include each limitation of their parent claim and are therefore also not anticipated by the cited reference. Reconsideration and allowance is respectfully requested.

§103 Rejection of the Claims

Claims 4-5 and 11 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Schoomen (U.S. Patent No. 6,230,927) in view of Lion (U.S. Patent No. 4,732,411).

Claims 4-5 and 11 include each limitation of their respective parent claims and are not obvious over the cited references since the combination does not overcome the deficiencies of the primary reference as discussed above regarding claims 1 and 7. Reconsideration and allowance is respectfully requested.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 359-3267 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By his Representatives,

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Date of Deposit: July 6, 2006

This paper or fee is being filed on the date indicated above using the USPTO's electronic filing system EFS-Web, and is addressed to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

CANDIS BUENDING

Name

Signature

